

Campbell County

**Sec. 10-42. Burning of leaves; limitations.**

Leaves originating on the premises of private residences may be burned on those premises; provided, that:

(a) Such burning is done between 11:00 a.m. and 7:00 p.m. and all embers are totally extinguished at the end of this period; except for the period when the preceding section is in effect.

(b) (1) In subdivisions located in residentially-zoned districts Residential-Single Family (R-SF), Residential-Multi Family (R-MF), and Residential-Manufactured Housing (R-MH) lying within the boundaries of the Concord, Sunburst, and Timberlake Election Districts of Campbell County, as those boundaries are described in §7-10 of this Code, the location of burning shall not be less than three hundred feet (300') from any occupied building unless the occupant has given prior written permission.

(2) In all other areas, such burning shall not be less than fifty feet (50') from any structure, nor be allowed to spread to within fifty feet (50') of any structure, except that fires in approved containers may be permitted, provided that such fires are not less than fifteen feet (15') from any structure. For the purposes of this article, an "approved container" shall mean a fire receptacle or container of substantial non-combustible construction designed to minimize the release of firebrands and embers.

(c) To minimize the possibility of contaminant emission from inadvertent fires, at no times shall the fire be unattended. At least one approved on-site fire extinguishing material or equipment, such as dirt, sand, water barrel, garden hose, water truck, or portable fire extinguisher(s) of minimum required rating, shall be available for immediate use.

(d) All burning of leaves permitted under this section shall not be commenced and shall be immediately terminated upon declaration of an alert warning or emergency stage of the air pollution episode when proclaimed by either the executive director of the State Air Pollution Control Board or his designated representative. (9-8-87)

(e) Notwithstanding subsection (d) of this section, the County Fire Marshal may prohibit the burning of leaves or may require the immediate extinguishment of such fire when the burning will be or has become offensive, hazardous, or objectionable due to excessive smoke or offensive odors, or otherwise, due to local circumstances or atmospheric conditions.

(f) All of the above items are subject to the state burning law. (9-17-73, §§1 to 5.)